

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

IN RE:	:	
	:	
JOBO LUGO,	:	Case No. 05-11767 (KCF)
	:	
Debtor.	:	
	:	
JOBO LUGO,	:	
	:	
Appellant,	:	Civil No. 05-2801 (AET)
	:	
v.	:	<u>MEMORANDUM &amp; ORDER</u>
	:	
MICHAEL B. KAPLAN,	:	
	:	
Appellee.	:	
	:	
	:	
<u>THOMPSON, U.S.D.J.</u>		

This matter is before the Court on appeal by Jobo Lugo (“Appellant”) from Orders entered in the United States Bankruptcy Court on April 7, 2005, denying Appellant’s motion for sanctions, and on April 11, 2005, granting Judy Lugo’s cross-motion to vacate the automatic stay to proceed with divorce proceedings. Appellate jurisdiction rests with this Court pursuant to 28 U.S.C. § 158(a). However, the Court notes that Appellant’s motion to dismiss the underlying bankruptcy action was granted on August 8, 2005. Thus, this appeal is moot.

Nevertheless, the Court notes that Judge Ferguson’s Order granting Judy Lugo relief from the stay was not legally inconsistent with the Order denying Appellant’s Motion for Sanctions against his former attorney, and the Court is unable to discern any other reversible error.

For the foregoing reasons,

IT IS on this 16th day of August 2005,

ORDERED that the appeal of the Orders entered in the United States Bankruptcy Court for the District of New Jersey by Judge Kathryn C. Ferguson on April 7, 2005 and April 11, 2005, is DISMISSED AS MOOT.

s/Anne E. Thompson

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ANNE E. THOMPSON, U.S.D.J.